

# Corruption in sport: From the playing field to the field of policy

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## Abstract

How is corruption in sport evolving into a global public policy issue? In the past century, four trends have affected sport according to Paoli and Donati (2013) – de-amateurisation at the turn of the twentieth century, medicalisation since the 1960s, politicisation and commercialisation to the point where sport is now a business worth more than US\$141 billion annually. Each of these trends had a corrupting effect on what is generally perceived as a past ‘golden age’ of sport. In the twenty-first century more public funding is being directed into sport in the developed and developing world. As a result this paper will argue organised sport has entered a fifth evolutionary trend – criminalisation. In this latest phase, public policy needs to grapple with what constitutes corruption in what has historically been a private market.

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## 1. Introduction: a quiet year

2015 is a relatively quiet year for global sport. There will be no Olympic Games – either summer or winter, the World Cup for Football is awaiting its next (already controversial) manifestation in Russia and there is not even a Commonwealth Games scheduled. However, international competition rolls on, nations will compete in football, cricket, both forms of rugby and myriad other sports. Annual events like the Tour de France and the regular national and local leagues will gear up for the season. Yet among all this positive social interaction lurks the ever-present threat of corruption. Nearly every day the media runs stories on one form or another of corruption in sport. Often this is left to sports officials to deal with as sport, in essence, occupies the private sphere. However, throughout the twentieth century and into the twenty-first, sport is emerging as a concern for public officials.

This research intends to bring corruption in sport forward in the public policy literature. Most research on corruption in sport occupies the academic space associated with sports science and management. Despite millions of public dollars flowing into sport in different countries around the world, there is limited examination of sport corruption in the public policy literature. This is not to say there is no utility in the broader literature for the public policy scholar or practitioner – Misra, Anderson, and Saunders (2013) make an important contribution in their criminological analysis of Australian sporting integrity in a volume sponsored by the International Criminal Police Organization (Interpol) and the *Fédération Internationale de Football Association* (FIFA) (Haberfeld & Sheehan, 2013). A supposition for this gap could be that the largest sporting market in the world is the United States. US sport is

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mainly private enterprise and it has been left to the market to get its own house in order. However, many other national governments make significant public contributions to sport. Therefore this article represents an early contribution to an important part of future public policy research.

This paper uses the TASP model outlined by Graycar (2015) to provide an overview of the scale and variety of corruption in sport. The research proposes a definition of corruption in sport, followed by a closer look at three types of sport-specific malfeasance – doping, match-fixing and host-rights corruption. Analysis of the controls for these types of corruption within the TASP framework illustrates some issues for public policy.

Research on corruption in sport tends to focus on one aspect or another of the issue without examining the whole range. Paoli and Donati's (2013) seminal work, *The Sport Doping Market*, investigates a significant issue over a long period, providing the first analysis of what this market looks like. However, doping (defined below) is only one type of corruption in sport. Another type is match-fixing. In recent years, the international government organisation Interpol has worked closely with sporting bodies such as FIFA to tackle the problem of gambling related match-fixing. While this is a public-private partnership with funds invested from both spheres, its focus is on the particular problem of illegal gambling's influence on the integrity of sport. The Interpol/FIFA partnership has already contributed to the academic literature through the publication of the aforementioned volume (Haberfeld & Sheehan, 2013), which reviewed global responses to the problem of match-fixing. The Haberfeld and Sheehan volume provides a selection of policy responses and contributes to the growing academic literature on match-fixing, particularly in football (Boeri & Severgnini, 2011; Forrest, McHale, & McAuley, 2008; Forrest & Simmons, 2003; Hill, 2009, 2010; Martin de Sanctis, 2014). There is also a growing literature on host-rights corruption. However, due to academic reluctance to cite (as yet) unproven cases as examples of such behaviour, much of the literature on host rights abuses is based on journalistic endeavours (see Jennings, 1996, 2011; Jennings & Sambrook, 2000). To understand the full scope of the problem it is timely to introduce a working definition of corruption in sport and an overview of the behaviours that constitute this corruption in the sporting sector.

## 2. Defining corruption in sport

Defining *corruption in sport* is problematic. This follows from the difficulty in defining corruption in the first place. The common definitions of corruption tend to be limited by the definer's perspective. For example, the now classic view for political scientists defines corruption as “behaviour which deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence” (Nye, 1967: 419). This definition comes from the perspective of the political scientist thinking about development. Whereas the commonly accepted standard definition of corruption, established by the World Bank and now used by Transparency International – the abuse of entrusted power for private gain – derives from the economists' perspective. As Caiden (2001) rightly points out, neither definition leaves space for ‘noble cause’ corruption – where power is abused in the pursuit of a public, rather than personal gain. To illustrate, noble cause corruption occurs whenever police purposely use unlawful techniques to secure evidence of a crime; it follows from a legal perspective that any conviction manifesting from such a process is corrupt (see Prenzler, 2009, 2011; Sherman, 1978, 1974). Similarly, Barcham, Hindess, and Larmour (2012) demonstrate that variation in what is commonly understood to be corruption is rooted in particular societies and particular times.

Modern sport involves political and economic activity at the global level, particularly in the bidding process to host prestigious events including the Olympic Games, the FIFA World Cup and similar international events. Recent bid processes turned the common understandings of corruption on their head – where public officials bribe private actors without the prospect of personal gain by the public official (Jennings & Sambrook, 2000). These definitional problems combined with a different reality in the sporting sphere (as compared to that of politics, economics or law) make it necessary to develop a working definition of corruption in sport adequate for use today and to anchor its meaning for this and subsequent discussion of the issue.

Gorse and Chadwick (2011: 8) proposed that ‘corruption in sport involves any illegal, immoral or unethical activity that attempts to deliberately distort the result of a sporting contest for the personal material gain of one or more parties involved in that activity.’ However, they acknowledge this definition does not cover the activities of sports governing bodies and the allocation of host rights. Furthermore, when dealing with international competition, one must ask whose morals and whose ethics provide the yardstick for determining what is, or is not, corruption in sport.

I propose a simpler definition: corruption in sport equates to *the deviation from public expectations that sport will be played and administered in an honest manner*. Within this definition, playing sport encompasses both athlete preparation and actual competition. The term ‘administered’ includes multiple levels of sports administration – individual athletes, teams, clubs, leagues, competitions, national associations, public officials and international organisations – from public and private spheres. It also includes the making and implementation of sport rules and by-laws. Further, administration incorporates all levels of refereeing or adjudication associated with sport – on and off field refereeing, tribunals, panels, courts and the like. Honesty includes the discrete handling of information related to an athlete or team and not taking advantage of that knowledge (i.e. misusing insider information for gambling). Finally ‘public’ equates to fans and non-fans alike – including (and in many cases, especially) those engaged in legal and illegal gambling.

The working definition above purposely avoids certain terms often associated with sport. In particular, there is no reference to, or requirement for sport to be fair. In terms of fairness, sport is often unfair, but well within the public expectations it is being played and administered honestly. To illustrate, the Australian Olympic gold medallist Steven Bradbury won when all the other speed skaters crashed out of their race leaving him, quite literally, the last man standing. For the other athletes it was unfair that Bradbury won (up till the moment of the crash, he had been coming last). However there is no suggestion Bradbury, or any official, acted in a dishonest manner.

Rule setting can also be corrupted. While breaches of rules often overlap the above definition of corruption in sport, one cannot dismiss the ongoing saga with FIFA and the allegations of corruption in awarding the 2018 and 2022 World Cup finals (Emmen, 2014). This peak organisation headquartered in Switzerland sets its own rules for operating in the international sphere. The ability to set and manipulate rules has done little to diminish the widespread belief the organisation failed to meet public expectations that football is being administered in an honest fashion. The international nature of FIFA, football and other sports also negates legal definitions of corruption. The international sphere does not easily lend itself to legal process, with law at this level tending to be ‘soft’, whereby the ability to enforce or administer it is uncertain (Abbott & Snidal, 2000). Thus, while FIFA submits itself to Swiss law, their overall actions in relation to the World Cup bidding process have done little to alleviate global public concerns about their honesty.

### 3. Analysing corruption in sport

There are many dishonest activities that fall under the broad rubric of corruption in sport outlined above. In 2014, the Australian Institute of Criminology (AIC) surveyed media reports of corruption in sport between 2010 and 2013 (Bricknell, 2014). Their findings focussed on the typology of sport corruption developed by Gorse and Chadwick (2011):

- Match-fixing – betting related
- Match-fixing – non-betting related
- Doping – the use of performance and image enhancing drugs (PIEDS)
- Insider information – for betting purposes

The AIC study found betting related match-fixing included reports of players, gamblers, horse-trainers, and racing stewards involved in various instances of corrupt behaviour to alter the outcome of sporting event to influence betting markets. The single non-betting related instance of match-fixing involved an Australian rules football team purposely underperforming to ensure a better selection of draft players the following season. An investigation by the Australian Sports Anti-Doping Authority (ASADA) into the systematic use of PIEDS in two football clubs in separate competitions dominated media reports on doping. Finally, the use of insider information mainly related to the horse racing industry. While the AIC report provided a useful point of reference for policy makers to think about corruption in sport, it is a somewhat limited analytical model focussed on a relatively short time period within the geo-social sphere of Australia.

#### 3.1. TASP and sport

To further untangle the complexity of corruption in sport requires a systematic approach. Graycar (2015) with his colleagues Sidebottom (2012) and Prenzler (2013) developed a useful method whereby the corrupt event is the unit of

analysis. Their approach analyses corrupt behaviour in four dispositions for each event – the *type* of corrupt behaviour, what *activity* has been corrupted, the *sector* in which a corrupt event occurs and the *place* it occurs. Application of the resultant tool – TASP (Type, Activity, Sector, Place) – to corruption in sport enables us to focus on aspects of the problem. Table 1 expands TASP by the addition of sport-related terminology in the bullet points.

### 3.2. Host bribery

Sport is not immune from traditional types of corruption, although the sector has some particular variations. Bribery, commonly understood as a private actor bribing a government official for some type of undeserved benefit, has been turned on its head by the sporting world. The recent report by FIFA into bidding for the hosting rights for the football world cup indicates that government officials have become bribers, paying from the public purse to private

Table 1  
Corruption typology: corrupt behaviours in four dispositions.

Classification	Description
Type	<p>Bribery, extortion, misappropriation, self-dealing, conflict of interest, abuse of discretion, patronage, nepotism, cronyism, trading in influence, pay to play, etc.</p> <ul style="list-style-type: none"> <li>• <i>Match-fixing</i> – betting related</li> <li>• <i>Match-fixing</i> – non-betting related</li> <li>• <i>Doping</i> – to improve performance</li> <li>• <i>Insider information</i> – for gambling purposes</li> <li>• <i>Ring-ins</i> – the surreptitious substitution of better athletes, animals or teams</li> <li>• <i>Nobbling</i> – doping or physical interference to hamper performance</li> <li>• <i>Salary cap abuses</i> – corruption by clubs</li> <li>• <i>Scalping</i> – a form of extortion</li> <li>• <i>Tanking</i> – giving up a match, losing intentionally or not competing, often to rig end of season results for promotion or relegation</li> <li>• <i>Host rights bribery</i> to secure prestigious events</li> </ul>
Activity	<p>Appointing personnel, buying things (procurement), delivery of programmes or services, making things (construction/manufacturing), controlling activities (licencing/regulation/issuing of permits), administering (e.g. justice), etc.</p> <ul style="list-style-type: none"> <li>• <i>Participation in sport</i> (athletes)</li> <li>• <i>Fan behaviour</i> (e.g. lasers used to blind on-field players)</li> <li>• <i>Refereeing</i> on-field</li> <li>• <i>Referee behaviour</i> and administration off-field</li> <li>• <i>Venue maintenance</i> including field or ground preparation</li> <li>• <i>Sports medicine</i></li> <li>• <i>Team administration</i></li> <li>• <i>Club administration</i></li> <li>• <i>League administration</i></li> <li>• <i>Sports policy</i> – agenda setting</li> </ul>
Sector	<p>Local government, construction, health, tax administration, environment and water, forestry, customs and immigration, welfare systems, agriculture, urban planning, legal systems, etc.</p> <p>Divisible by sport and distinguishable between professional and amateur</p> <ul style="list-style-type: none"> <li>• <i>Football</i></li> <li>• <i>Baseball</i></li> <li>• <i>Rugby</i></li> <li>• <i>Cricket</i></li> <li>• <i>Boxing</i></li> <li>• <i>Billiards</i> etc.</li> </ul>
Place	<p>Countries, regions, localities, cities/towns, organisations, workplaces, etc.</p> <ul style="list-style-type: none"> <li>• <i>On-field</i></li> <li>• <i>Off-field</i></li> <li>• <i>Training</i></li> </ul>

Source: Modified from Graycar (2015), Graycar and Sidebottom (2012: 386), and Graycar and Prenzler (2013: 11).

organisations to secure the prestigious sporting events (TI, 2014). Similar bribery was uncovered in relation to the Winter Olympics hosted by Salt Lake City in 2002 and on previous occasions (Jennings, 1996, 2011; Jennings & Sambrook, 2000). While bribery in sport can be simply a player being paid to underperform, host bribery hides within a culture of senior administrators who come to expect gifts and favours. A recent example of this culture involved members of various national football associations receiving expensive gifts including luxury watches during the World Cup in Brazil (Rumsby, 2014).

### 3.3. *Nepotism*

Nepotism as a form of corruption does not neatly fit into the sporting arena. A child, nephew or niece of a sporting great may also perform well due to familial socialisation, access to additional coaching and attention from their successful relatives and family associates. They may get a closer look from professional scouts and other administrators due to their famous relatives – think of Denver Broncos quarterback Peyton Manning, son of former National Football League (NFL) quarterback Archie Manning and brother of New York Giants quarterback Eli Manning. However, in a professional league they still have to perform – numerous athletes with great antecedents do not develop illustrious careers like their forebears. From a different perspective, nepotism and cronyism is evident in the lavish gifts provided to relatives of International Olympic Committee (IOC) members during host bids (Jennings, 1996, 2011; Jennings & Sambrook, 2000). These examples show how classic forms of corruption need careful consideration when it comes to sport.

### 3.4. *Match-fixing*

Aside from the classic forms of corruption, sport corruption has its own language for specific corrupt acts – match-fixing, doping, nobbling and ring-ins. According to the Oxford English Dictionary, match-fixing is ‘(In sport) the action or practice of dishonestly determining the outcome of a match before it is played.’ This definition varies from that provided by Lamberti (2014): ‘A fixed match has occurred when a match is played to a completely or partially pre-determined result, violating the rules of the game, and often the law.’ While the OED is authoritative, the latter definition importantly adds the ‘partially pre-determined result’, which captures other activities such as spot-fixing and point-shaving. Spot-fixing being when a certain action in a match – an intentionally mis-bowled cricket ball or foul in baseball, a certain type of score by a certain player – is pre-determined, usually to the advantage of gamblers. Another form of match-fixing is point-shaving, which occurs to keep the final result within or outside a pre-determined range, again for the advantage of gamblers with knowledge of the fixed result.

A non-gambling type of match-fixing is tanking. This involves a player or team deliberately underperforming, giving up a match, losing intentionally or simply not competing (KEA, 2012: 9). While it is an Australian term, it applies in European and other football leagues where end-of-season relegation is a possibility. By tanking, a team can ensure another team or athlete – not necessarily the immediate opponent – is relegated or avoids relegation. This has serious financial consequences as football leagues provide better funds to premier teams than lower divisions (Gorse & Chadwick, 2011: 19).

### 3.5. *Doping*

The World Anti-Doping Agency (WADA, 2009) defines doping as ‘the occurrence of one or more of the anti-doping rule violations’. The violations can be summarised as (1) the presence of a prohibited substance, its metabolites or markers in an athlete’s sample; (2) use or attempted use by an athlete of a prohibited substance or prohibited method; (3) refusing, failing or avoiding sample collection; (4) being unavailable for out-of-competition testing; (5) tampering with doping control; (6) possession of prohibited substance or methods; (7) trafficking prohibited substances or methods; or (8) administration to athletes of prohibited substances or methods (WADA, 2009: art. 2).

Another form of doping is nobbling, a British term for interfering with the ability of an athlete to compete at their peak performance. This is usually done when an athlete is unaware that their physical capabilities have been diminished, although this is not always the case. Most often nobbling occurs in animal sports, simply because sporting animals cannot articulate what has been done to them. The concept of nobbling is far from new, Doyle (1981 [1892]) described how a race horse could be nobbled in the nineteenth century in his Sherlock Holmes story *Silver Blaze*. The

most infamous case of nobbling in recent years was the attack on figure skater Nancy Kerrigan arranged by the ex-husband of her rival Tonya Harding to ensure Kerrigan could not compete in the 1994 US Figure Skating Championships. The Harding/Kerrigan case demonstrated the interrelationship between corruption and criminality.

Ring-ins refers to the practice of substituting an athlete or animal for one of better ability. A disturbing ring-in case was the substitution of nearly the entire Spanish Paralympic men's basketball team with able-bodied athletes in 2000 (Rothfield & Adams, 2014: ix–xiii). This case involved athletes and officials from every level of the sport. Its discovery led to the team being stripped of the gold medal and the withdrawal of intellectually disabled competitors from the Paralympics because of the difficulty in ascertaining the true level of an athlete's abilities.

Within the world of sport, *activity* is best classified as a 'who' rather than a 'what'. This is because within various sports, specific people perform specific roles. As a result, they have different opportunity structures associated with their roles. For example, a groundskeeper cannot affect a match by self-doping, but they can change the height of a pitchers' mound, over-water a cricket pitch, and dim or kill the lights at a night event. Similarly, a manager cannot miss a penalty shot – although he may recruit a player to. The modified TASP framework identifies what activity is corrupted or corruptible by identifying who has the ability to do so.

The TASP *sectors* are extended by inclusion of the sport or sports in question. While one could expect corruption to be in a single sport, cases such as the BALCO scandal<sup>1</sup> demonstrated multiple sports were involved in a single doping case. *Places* can also be extended to delineate not only geographic locations, but sport related localities as well – on-field, off-field, training facilities, homes, club facilities and so on.

### 3.6. Sporting trends and corruption

In their innovative examination of the Italian sport doping market, Paoli and Donati summarised four trends which contributed to the growth of doping worldwide (Box 1).

These trends also apply to other forms of corruption in sport. Table 2 demonstrates how each of these phases has been accompanied by varying and overlapping forms of corruption in sport.

The four cases presented above illustrate the overlapping nature of corrupt conduct. The *Calciopoli* scandal crossed into the commercial world, as the stock price of Juventus lost half its value. The case of the Austrian athletes involved politicisation with the IOC lobbying for a relaxation on the law, which was refused by Italian legislators who considered any moratorium a sign of weakness (Paoli & Donati, 2013: vii). The NRL salary cap resulted from a commercial decision to maintain local fan support by ensuring rich clubs cannot dominate, and the fact the players receive a salary originated in the de-amateurisation of sport. Despite the large input of federal funds to the 2002 Salt Lake City games, the US\$350 million only represented 18% of the overall budget for these Olympics (Johnson, 2007).

#### Box 1. Trends in sport to explain doping

The increased demand for illicit drugs by athletes can be explained by some key trends in sports and the broader society sometimes dating back to the nineteenth century:

1. The "de-amateurisation" of sports, with an increasing emphasis being placed on winning, particularly with greater inter-area sporting competitions.
2. The medicalisation of sports and the development of sports medicine.
3. The politicisation of sport – exemplified by the Cold War rivalries of the West and Soviet bloc as played out in the sphere of international sporting competition.
4. The commercialisation of sport to a global audience targeted by sponsors through radio, TV and Internet.

Adapted from Paoli and Donati (2013: 2).

<sup>1</sup> The Bay Area Laboratory Cooperative supplied anabolic steroids to athletes in baseball, athletics and American football. A grand jury investigation in 2002 found hundreds of athletes had been on BALCO's client list (see *Baseball Almanac*, 2014; Gorse & Chadwick, 2011; Mitchell, 2007; USADA, 2014a).



Table 2  
Trends and examples of corruption in sport.

Trend	Corruption	Examples
De-amateurisation	Match-fixing (non-betting)	In Italy, several leading clubs in the Serie A and Serie B professional football leagues were discovered to have been match-fixing by making arrangements for favourable referees to be appointed to certain games. Known as the <i>Calciopoli</i> (footballville) scandal, police investigations using telephone intercepts uncovered a network of club managers and referees involved in the scandal. The result of this drive to win by any means saw the Serie A teams Fiorentina and Juventus relegated to lower leagues; both teams had points deducted, along with Milan, Lazio and Regina; and senior Juventus, Fiorentina and Regina officials along with three referees were imprisoned following related criminal proceedings (Gorse & Chadwick, 2011; KEA, 2012)
Medicalisation	Doping	The IOC lobbied strongly for Italy to declare a moratorium on its tough anti-doping laws for the duration of the 2006 Winter Olympics in Turin. Italian authorities refused. A raid on the Austrian cross-country skiers and bi-athletes uncovered evidence of doping. The raid also located Walter Mayer, who had been banned for ten years following the 2002 Winter Olympics after he had been found with doping equipment. The Austrian athletes had been staying at a training camp guesthouse owned by Mayer's wife. Several skiers and team officials were banned from competing in future Olympics and the Austrian Olympic Committee were fined US\$1 million. Furthermore, the Italian authorities pursued criminal prosecutions under their existing anti-doping laws (Paoli & Donati, 2013: xv–xvii)
Politicisation	Host bribery	The bidding process for the 2002 Winter Olympic Games in Salt Lake City involved significant bribes from the organising committee to members of the IOC, which resulted in at least six members of the IOC resigning. Once the rights to the games had been secured, over US\$350 million in federal funding was secured through the earmarks process of appending expenditure to unrelated legislation in the US Congress. Two members of the bid organising committee were prosecuted for illegally influencing IOC members, both were later acquitted (Johnson, 2007)
Commercialisation	Salary-cap abuses	To provide a more even competition, the Australian National Rugby League (NRL) introduced salary caps for teams. In 2002, competition leaders Canterbury were found to have breached the salary cap through hidden payments to its players. As a result, the NRL fined the club AU\$500,000, stripped their competition points and the club came last that year. Two senior club officials were jailed for fraud, theft and forgery offences (SMH, 2002)

The remainder came from private firms eager to be associated with the commercial aspects and benefits of being an Olympic sponsor. These same sponsors saw their investment jeopardised by the corruption scandal (Jennings, 2011: 393). In addition to these co-existing trends, each case involved prosecutions under criminal law and thus crosses into the realm of criminalisation – the latest trend in global sport. However, before discussing the public policy implications of corruption in sport, we first need to examine the governance measures to control doping, match-fixing and host bribery.

#### 4. Governance and control of sport corruption

Globally, sport occupies both the private market and the public sphere. The private sports market consisting of sponsorship, gate revenues, media rights and marketing is estimated to exceed US\$141 billion in 2015 (PWC, 2011). To this can be added the turnover in sport related gambling estimated in 2012 to be worth over £50 billion for the global e-betting market alone (Forrest, 2013: 185).

There is also significant public expenditure globally on sport. Public expenditure such as the federal funds for the Salt Lake City Games regularly runs into the hundreds of millions of dollars. The Australian government recently provided AU\$156 million to the Queensland state government for the 2018 Commonwealth Games, this is additional to the Australian Sports Commission's AU\$265 million allocation (Australian Government, 2014). Corruption control measures are usually publicly funded. The Italian *Commissione per la vigilanza ed il controllo sul doping e per la tutela della salute nelle attività sportive* (Commission for the Vigilance and Control on Doping and the Protection of Health in Sports Activities) is a public body established under law, which works closely with the *Carabinieri* to investigate and prosecute doping cases (Paoli & Donati, 2013: xxi). Similarly, ASADA is a publicly funded with an

annual allocation of AU\$16 million. In contrast, the US Anti-Doping Agency (USADA) is a private concern and its reach does not extend to the major sports in the United States – American football, baseball, basketball or ice hockey.

## 5. Doping – the US response

The control of doping in sport has made significant advances in recent decades, yet it remains a major problem. Gorse and Chadwick (2011: 10) claim doping is the most prevalent form of sport corruption, occurring in 95.64% of all cases in their database. The international body responsible for countering doping is WADA, which was created by the IOC, and is in effect, a private institution. Accession to the WADA code on anti-doping requires the establishment of a national anti-doping agency. These agencies can be public authorities (ASADA) or private organisations (USADA).

Since 2000, USADA has conducted 108,709 tests on athletes for banned substances (USADA, 2014b). These tests resulted in 390 sanctions issued against athletes, ranging from the issuance of public warnings to 15 separate lifetime bans, which included Lance Armstrong and eight other cyclists (USADA, 2014a). Outside USADA's jurisdiction, the major leagues have drawn up agreements with their respective player associations that incorporate anti-doping policies. These policies and penalties are summarised in Table 3.

There is clearly no uniformity in the major leagues' responses to doping. The penalties differ in both severity and the number of opportunities players have to fail drug-testing regimes. Both the NHL and NFL agreements refer to the WADA list of banned substances; the MLB relies on Schedule III of the *Code of Federal Regulations' Schedule of Controlled Substances* to determine what is a prohibited substance (MLB/MLBPA, 2014: 9); and an NBA committee decides which substances are prohibited for basketball (NBA/NBPA, 2012: 22). There is also no uniform approach to penalties for substances of abuse – the euphemism in the league/player association agreements for illegal recreational

Table 3  
US major leagues – doping penalties.

League	Governing bodies	Current maximum penalties per offence			
		1st offence	2nd	3rd	4th
Baseball (MLB)	Office of the Commissioner of Baseball and the Major League Baseball Players Association (MLBPA)	Performance enhancing substances – 80 games	162 games	Permanent suspension	n/a
		Stimulant – mandated follow up tests	25 games	80 games	Permanent suspension
		DHEA – mandated follow up tests	25 games	80 games	Permanent suspension
Football (NFL)	National Football League (NFL) and NFL Players Association (NFLPA)	Diuretic/masking agent – 2 games	10 games	Two seasons	n/a
		Stimulant/anabolic – 4 games	10 games	Two seasons	n/a
		Prohibited substance – 6 games	10 games	Two seasons	n/a
Basketball (NBA)	National Basketball Association (NBA) and the National Basketball Players Association (NBPA)	Drug of abuse –dismissal and disqualification	n/a	n/a	n/a
		Steroids, performance enhancing drugs and masking agents – 20 games	45 games	Dismissal and disqualification	n/a
		Marijuana – mandated entry into the marijuana program	\$25,000 fine	5 games	Previous
penalty + 5 games					
Ice Hockey (NHL)	National Hockey League (NHL) and NHL Players’ Association (NHLPA)	20 game	60 game	Permanent suspension	n/a



drugs such as cocaine, amphetamines or PCPs, which also affect a players' performance. These anti-doping policies are also subservient to US Federal law on the abuse of prescription or illicit drugs.

Data on penalties for breaches of the major league drug policies is not readily available. No professional league publishes an authoritative list of players or administrators who have run afoul of anti-doping policies. The MLB commissioned an inquiry headed by former US Senator George Mitchell into doping in 2007. Mitchell's report named 86 players for whom some type of documentary proof or admission indicated they had improperly used PIEDS (Mitchell, 2007). To this can be added 48 other players subsequently sanctioned under anti-drug rules (Baseball Almanac, 2014). One of the only publicly available data sources is Wikipedia,<sup>2</sup> which lists 183 drug related suspensions for the NFL, 17 for the NBA and only two for the NHL (Wikipedia, 2014a, 2014b). These figures fall short of the 500 cases compiled by Gorse and Chadwick (2011: 12). However, Gorse and Chadwick note that many of the doping cases in their dataset refer to minor league athletes, which they posit is a result of athletes in the major leagues being circumspect due to stringent testing (2011: 14).

## 6. Match-fixing

While there is an international approach to controlling doping through WADA and associated mechanisms, match-fixing remains problematic. If one were to compare the number of cases alone, match-fixing appears to be a far less significant type of corruption in sport than doping. Only 2.73% of 2089 cases between 2000 and 2010 related to match-fixing (Gorse & Chadwick, 2011: 2). However, match-fixing often involves multiple actors in a variety of locations – a single case resulted in 50 arrests over 320 corrupted football matches in 10 countries (Feltes, 2013: 23–24). The Interpol/FIFA partnership reflects the growing view among public officials that match-fixing poses both an economic and criminal threat to society. Martin de Sanctis (2014) argues match-fixing is one of several means football is used by organised crime to launder or transfer money.

Furthermore, illegal gambling networks involved in match-fixing have been linked to organised crime in the United States. An illegal operation involving a New Jersey state trooper obtained insider information from an NHL assistant coach. This group had links to a New Jersey crime family. There are otherwise relatively few cases recorded in relation to the major leagues. Gorse and Chadwick's database only contains five cases of misuse of insider information for American sports and four of these cases did not involve player (2011: Appendices B and C). Considering the current pay level for major league players this is understandable. Yet similar salaries are available in soccer and hundreds of betting related match-fixing cases involved players from leagues around the world (Feltes, 2013; Gorse & Chadwick, 2011: Appendices B and C).

Table 4 applies the TASP model to doping, match-fixing and insider information and illustrates the necessity to tailor governance approaches to suit the situation. The data used is illustrative only, drawing from sources with sufficient detail to apply TASP. Aside from doping in baseball and the NFL, corruption in the American major leagues appears to be under control. In marked contrast cases of match-fixing are mainly in the European football leagues, with relatively few cases of doping detected.

To control match-fixing, there is a growing demand for specific legislative and policy responses. A recent European report showed that of the 27 EU nations, Bulgaria, Cyprus, Italy, Malta and Poland have passed specific anti-corruption laws to address match-fixing (KEA, 2012). Other European nations use existing fraud or anti-corruption legislation, and a few rely on conspiracy offences (KEA, 2012).<sup>3</sup>

<sup>2</sup> I acknowledging the comments of an anonymous reviewer; this source not regarded as scholastically robust. However, each doping case is referenced to a media report, a sampling of which proved sufficiently valid for the purposes of this paper. Furthermore, wikis are maintained by users interested in the integrity of the sport they follow. Falsified or altered data are continually corrected (see Ferriter, 2009). Finally, when teaching corruption in sport, I draw student attention to the Wikipedia reference, explain the reasons for inclusion and STRONGLY warn against its indiscriminate use.

<sup>3</sup> Austria, Denmark, Estonia, Germany, Hungary, Ireland, Latvia, Lithuania, Netherlands and Slovenia rely on fraud offences. Belgium, France, Greece, Luxembourg, Portugal, Romania, Spain and Sweden use existing corruption legislation. The Czech Republic, Slovakia and Finland use a mix of fraud and corruption legislation. The UK uses a combination of offences against cheating, conspiracy and corruption.

Table 4

TASP applied to several sectors of the sport market 2000–2010.

Sector	Type	Activity	Place
Baseball (MLB)	Doping	131 players <sup>a,e</sup>	United States
	Match-fixing	Nil	Nil
	Insider-information	2 scouts <sup>b</sup>	United States and Canada
Football (NFL)	Doping	183 players <sup>c</sup> 1 coach <sup>c</sup>	United States
	Match-fixing	Nil	Nil
	Insider-information	–	–
Basketball (NBA)	Doping	12 players <sup>b,e</sup>	United States
	Match-fixing	Nil	Nil
	Insider-information	1 referee <sup>b</sup>	United States
Ice Hockey (NHL)	Doping	3 players <sup>c</sup>	Nil United States
	Match-fixing	Nil	
	Insider-information	1 official <sup>b</sup> 1 assistant coach <sup>b</sup>	
Football (Soccer)	Doping	28 players <sup>b</sup>	Europe (majority), Africa, Asia, South America, North America
	Match-fixing (betting)	13 cases <sup>b,f</sup> involving clubs, players, referees, owners, presidents	Italy, Greece, South Korea, Turkey, Nicaragua, Austria, Belgium, Brazil, Czech Republic, China, Croatia, Germany, Hungary, Israel, Italy, Macedonia, Slovenia, Turkey, Switzerland, Ukraine, Vietnam,
	Match-fixing (non-betting)	8 cases <sup>b,f</sup>	China, Hong Kong, Poland, Portugal, Italy, South Africa, Vietnam
	Insider-information	1 official <sup>b</sup>	United Kingdom

Data in this table has been distilled from the following sources.

<sup>a</sup> 53 players suspended since random testing introduced ([Baseball Almanac, 2014](#)); 76 additional players named in the [Mitchell Report \(2007\)](#).<sup>b</sup> [Gorse and Chadwick \(2011\)](#).<sup>c</sup> [Wikipedia \(2014b\)](#).<sup>d</sup> [Wikipedia \(2014a\)](#).<sup>e</sup> USADA sanctions have been added, these include 3 Olympic and 2 Paralympic athletes under basketball, 1 Olympic and 2 Paralympic under ice-hockey/sled hockey and two Olympic baseball players ([USADA, 2014a](#)).<sup>f</sup> Cases can involve multiple fixed-matches.

## 7. Discussion

There has been a strong push from sporting bodies and organisations for greater public input into controlling corruption in sport. Sporting organisations and licenced gambling operators understand that competition requires a strong element of unpredictability in sport otherwise it loses its appeal to fans, sponsors and broadcasters ([KEA, 2012: 15](#)). Match-fixing poses a threat to the perception of unpredictability. This was clearly demonstrated in Taiwan in 1997 where a bribery and gambling scandal undermined the legitimacy of the Taiwan Baseball League resulting in large drops in attendance ([Lee, 2008](#)). Leading the push to increase government involvement in protecting sport from corruption has been the various international non-government organisations which govern sport.

The pressure to legislate needs to be considered in context. More of the behaviours that constitute corruption in sport are becoming criminalised either through new legislation, or through decisions to apply existing legislation to a sphere that had once governed itself. The *Australian Interactive Gambling Act 2001* (AIG) represents an example of the new legislative approach. This act criminalised on-line micro-betting; wagering on a specific event within a sporting competition like a point in tennis or the next type of score in a football match. Although there have been no prosecutions under the AIG, a recent review of the legislation noted its deterrent value and recommended extending the prohibition on micro-betting to cover wagers made over the telephone or at the sporting venue ([DBCDE, 2013](#)). A similar story can be told about the control measures for internet gambling implemented in the United States. The *Unlawful Internet Gambling Enforcement Act* of 2006 and the *Professional and Amateur Sports Protection Act* of

1992. While laws may have a deterrent value at the national level, they are less effective when corruption in sport is transnational.

### 7.1. *International sport*

They fell for the dream that the Games might pay for themselves without tax money. . . Just play the Olympic Game, pander to the IOC members, let them molest your daughters; wine, dine and suffocate them with hospitality until around fifty votes are in the bag. That's Olympic campaigning today (Jennings, 1996: 116).

Major international sporting bodies make great demands on the public sphere. Aside from the millions of dollars contributed from taxpayers to host various events, these organisations also expect event specific laws as part of the modern host bidding process. As Jennings (1996, 2011), Jennings and Sambrook (2000) pointed out, these expectations are somewhat incongruous when considering the amount of corruption allegedly associated with cities winning hosting rights. I have previously mentioned the pressure placed on Italy to call a moratorium on its doping laws and the failed attempt to prosecute from actions arising with the Salt Lake City bid. Arguably the officials of international sporting organisations see themselves as above national laws while they operate in the international sphere. The anti-corruption work of these organisations at the sporting level is laudable – WADA and the Interpol/FIFA partnership to combat doping and match-fixing are good examples of this. However, much is undone by the ongoing, legally untested and possibly untestable allegations of bribery and corruption at the highest levels.

## 8. Conclusion

This paper has presented a model for analysing corruption in sport and a broader definition of the problem. Using available data, it has demonstrated how corruption in sport differs from place to place and sport to sport. While the trend towards criminalisation has continued, to date, controlling corruption in sport has had mixed success for both the private operators and public legislators. The control of doping in the US has been hampered by major sports wishing to avoid scandal or brand damage and the consequential loss of revenue. It is only when scandals became beyond the control of governing bodies – both the leagues and the players associations – that more robust control and testing regimes were implemented. The current situation in Europe sees mounting pressure to improve control on match-fixing. The contemporary public-policy response is to recommend sport specific legislation on a European-wide scale as part of a suite of actions to control gambling in sport. However, nation-specific legislation may not be effective, particularly as the transnational nature of sport corruption and match-fixing is already established.

Criminalisation is not necessarily the answer. The lessons from the examples above show how Australian internet gambling legislation has a deterrent effect nationally, yet has little prospect of international because the offences are not universal. Similarly, US has had limited success with only a single prosecution of a case of international illegal sports gambling. However, as the cultural attitudes towards the corrupting effect of gambling on sport converge, as they did with doping, it is likely greater consensus will be achieved on an international scale. This convergence is evident through the international forums like the European Union and the FIFA/Interpol partnership advocating a unified approach. The lessons of doping control therefore have salience for gambling and related match-fixing.

While traction has been gained on doping controls, and is gaining on controlling match-fixing, host rights corruption appears to be as cyclical as the major events themselves. This perception is not entirely correct, however it is hard to distinguish because an apparently corrupted process – such as the vote which secured Qatar the 2022 FIFA World Cup – maintains itself in the public mind until the event is held and the sports world moves on. These doubts linger as FIFA moves from one investigation to another. Only the cumulative effect of reform within international sporting bodies can relegate host-rights corruption to the pages of history.

In an age where the argument to control corruption in sport is through criminalisation, policy makers need to think about the problem in a holistic sense when formulating or implementing policy. The universal definition of corruption in sport and outline of a typology within an established analytical framework provides tools to guide this thinking. This paper recognises that all corruption is not the same and even when focussing on a single sector, in this case sport, there are a range of complicating factors associated with the types of corruption, the activities being corrupted and the places where corruption occurs.

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